

wherein said control means selects one of first preset information which is written by an information write device set outside said optical device and second preset information which is set by said operation setting means, and

wherein said control means performs preset drive control of said drive means on the basis of the selected first preset information or second preset information.--

#### REMARKS

The present Preliminary Amendment is being filed together with a Request for Continued Examination and the requisite fees.

The claims now pending in the application are Claims 1 to 10 and 16 to 30, the independent claims being Claims 1, 10, 16, 27, 29 and 30. Claims 16 to 30 are newly presented herein.

Applicants are in receipt of a Notice of Allowance and Issue Fee Due mailed September 3, 2002, in which all prior pending Claims 1 to 10 were allowed. In this regard, Applicants note that although the Notice of Allowability indicates Claims 1 to 15 are allowed, Claims 11 to 15 were cancelled in the prior Amendment dated July 31, 2002.

Claims 16 to 30 have been added herein to provide Applicants with an additional scope of protection commensurate with the disclosure. Support for the proposed new claims may be found in the original application. No new matter has been added.

Applicants have reviewed the art of record and believe the proposed new claims are allowable thereover.

Applicants believe the present application is in condition for allowance.  
Favorable consideration of the claims and passage to issue of the present application at the  
Examiner's earliest convenience earnestly are solicited.

Applicants' attorney, may be reached in our Washington, D.C. office by  
telephone at (202) 530-1010. All correspondence should continue to be directed to our  
below listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 32,078

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

CPW/gmc

DC, MA/IN 113952v1